

contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Also see M.P.E.P. § 2131.

Claims 1-8 and 17 recite a semiconductor laser device comprising a semiconductor multi-layer film formed by laminating optical confinement layers and active layers so as to dispose each of the active layers between the optical confinement layers, wherein one of the opposite ends perpendicular to the junction planes of the individual layers in the semiconductor multi-layer film is coated with a low reflection film and the other end is coated with a high reflection film. The low reflection film contains a film comprised of at least  $\text{Al}_2\text{O}_3$  having a resistivity of  $1 \times 10^{12} \Omega \cdot \text{m}$  or more.

Hashimoto et al. relates to a semiconductor laser method. On page 2 of the Office Action, column 4, lines 19-33 and column 1, lines 55-50 of Hashimoto et al. are cited to teach a "...low reflection film 20 contains a film which is composed of  $\text{Al}_2\text{O}_3$ ...and has a resistivity of  $10^{12} \Omega \cdot \text{m}$  or more..." However, this disclosure is nonanticipatory of a low reflection film that contains a film comprised of at least  $\text{Al}_2\text{O}_3$  having a resistivity of  $1 \times 10^{12} \Omega \cdot \text{m}$  or more. This is evident and apparent as it is merely disclosed in column 4 that  $\text{Al}_2\text{O}_3$  may also be used in place of SiN for layer 20. The Applicants are unable to find any disclosure in Hashimoto et al. that layer 20 has a resistivity of  $1 \times 10^{12} \Omega \cdot \text{m}$  or more.

Accordingly, a *prima facie* case of anticipation of claims 1-8 and 17 has not been established, as the cited prior art reference of Hashimoto et al. does not disclose all the limitations recited in these claims. At least for this reason, the Applicants respectfully request reconsideration and withdrawal of this rejection.

Regarding the rejection of claims 9-17, the Applicants respectfully request reconsideration as a *prima facie* case of anticipation has not been established. These claims recite a semiconductor laser device comprising a semiconductor multi-layer film formed by

laminating optical confinement layers and active layers so as to dispose each of the active layers between the optical confinement layers, wherein one of the opposite ends perpendicular to the junction planes of the individual layers in the semiconductor multi-layer film is coated with a low reflection film and the other of the ends is coated with a high reflection film. The low reflection film contains a film comprised of  $\text{Al}_2\text{O}_3$  having a stoichiometric ratio composition. As disclosed in page 4 of the specification, the stoichiometric ratio is pertinent to suppress the oxidation of the Al-containing compound semiconductor material, thus making it possible to suppress the occurrence of a catastrophic optical damage in the optical cavity of the semiconductor device.

Hashimoto et al. has been discussed above. On page 3 of the Office Action, column 2, lines 30-39 of Hashimoto et al. are cited to teach "...a film composed of  $\text{Al}_2\text{O}_3$ ...with a stoichiometric ratio composition..." However, this disclosure and the remaining disclosure in Hashimoto et al. does not disclose  $\text{Al}_2\text{O}_3$  having a stoichiometric ratio composition. This is further evident, as Hashimoto et al. does not disclose any advantages associated with  $\text{Al}_2\text{O}_3$  having a stoichiometric ratio composition.

Accordingly, a *prima facie* case of anticipation has not been established in the rejection of claims 9-17, as the cited prior art reference of Hashimoto et al. does not disclose all of the limitations recited in these claims. At least for this reason, the Applicants respectfully request reconsideration and withdrawal of this rejection.

Consequently, in view of the above, it is believed that this application is in condition for allowance, such a notice is respectfully solicited. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

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